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10/709,882	06/03/2004	Hayato Ariyoshi	SIMTEK6905	3881
25776 7590 02/06/2009 ERNEST A. BEUTLER, ATTORNEY AT LAW 10 RUE MARSEILLE NEWPORT BEACH, CA 92660			EXAMINER LE, DANG D	
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The time period for reply, if any, is set in the attached communication.

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HAYATO ARIYOSHI and TADASHI TAKANO

Appeal 2009-0221
Application 10/709,882
Technology Center 2800

Decided¹: February 5, 2009

Before KENNETH W. HAIRSTON, MAHSHID D. SAADAT, and KARL D. EASTHOM, *Administrative Patent Judges*.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134 from a final rejection of claims 10 to 13. We have jurisdiction under 35 U.S.C. § 6(b).

We will sustain the rejection.

Appellants have invented a terminal structure for interconnecting coil winding ends in a plural phase rotary electrical machine (Figs. 1, 4, 5, and 6A to 6C; Spec., paras. 0048, and 0051 to 0053).

Claim 10 is the only independent claim on appeal, and it reads as follows:

¹ The two-month time period for filing an appeal or commencing a civil action, as recited in 37 C.F.R. § 1.304, begins to run from the decided date shown on this page of the decision. The time period does not run from the Mail Date (paper delivery) or Notification Date (electronic delivery).

10. A terminal structure for interconnecting coil ends in a plural phase rotary electrical machine and adapted to be mounted at one axial end of a core having a plurality of circumferentially spaced pole teeth around which electrical coils are wound, said terminal structure comprising a plurality of interconnected conductors equal in number to at least the number of phases and bonded in spaced relationship to each other, the interconnected conductors of each of said phase each having at least two circumferentially spaced terminal end portions for receiving a coil wire end from a respective one of said coil windings.

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Kondo	US 5,900,687	May 4, 1999
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The Examiner rejected claims 10 to 13 under 35 U.S.C. § 102(b) based upon the teachings of Kondo.

ISSUE

Appellants contend *inter alia* that the Examiner has not met the initial burden of establishing a prima facie case of anticipation (Br. 3). Thus, the issue before us is have Appellants shown that the Examiner failed to establish a prima facie case of anticipation of the claimed subject matter?

FINDINGS OF FACT

1. Appellants describe and claim a terminal structure 67 for interconnecting coil ends 66 in a plural phase rotary electrical machine. The terminal structure is adapted to be mounted at one axial end of a core 59 that has a plurality of circumferentially spaced pole teeth around which electrical coils 65 are wound. The terminal structure comprises a plurality of interconnected conductors equal in number to at least the number of phases,

and bonded in spaced relationship to each other. The interconnected conductors of each phase each have at least two circumferentially spaced terminal end portions for receiving a coil wire end from a respective one of the coil windings.

2. Kondo describes a terminal structure (Fig. 2) for interconnecting coil ends in a plural (i.e., three) phase rotary electrical machine (col. 3, ll. 12 to 23). The terminal structure is adapted to be mounted at one axial end of a core having a plurality of circumferentially spaced pole teeth 1 around which electrical coils 2 are wound. The terminal structure comprises a plurality of interconnected conductors 3a, 4a, and 5a equal in number to at least the number of phases, and bonded in spaced relationship to each other (Figs. 4 and 5; col. 3, ll. 12 to 48). The interconnected conductors of each phase each have at least two circumferentially spaced terminal end portions 3b, 4b, and 5b for receiving a coil wire end from a respective one of the coil windings (col. 3, l. 49 to col. 4, l. 21).

PRINCIPLES OF LAW

Anticipation is established when a single prior art reference discloses expressly or under the principles of inherency each and every limitation of the claimed invention. *Atlas Powder Co. v. IRECO Inc.*, 190 F.3d 1342, 1347 (Fed. Cir. 1999); *In re Paulsen*, 30 F.3d 1475, 1478-79 (Fed. Cir. 1994).

ANALYSIS

A comparison of the teachings of Kondo to the claimed invention reveals that Kondo describes all of the terminal structure for interconnecting coil ends in a plural phase rotary electrical machine as set forth in claims 10 to 13 (Finding of Facts 1 and 2).

With respect to Appellants' argument (Br. 3) that the caulking member 9 extends radially in Figures 5 and 6 and extends axially in Figure 7, we agree with the Examiner (Ans. 4) that:

Figures 5 and 6 show one embodiment where the caulking member 9 [is] extending radially and lying in a common axial plane defined by the surface of the end plate 7. In contrast, Figure 7 shows another embodiment where the caulking member 9 [is] extending axially. In other words, Kondo et al. shows two locations of the connection between the coil ends and the terminal end portions as long as "the connected portions do not extend beyond the outer diameter of the stator" column 4, lines 24-25. Also please see column 4, lines 14-23 for detailed explanation of Figures 5-7.

Thus, Appellants' argument does not convince us that the Examiner erred in finding that the claim 10 terminal structure reads on the terminal structure described by Kondo.

Turning next to Appellants' argument (Br. 3) that Figures 5 to 7 of Kondo do not show phases "axially spaced from each other" as set forth in claim 11, we agree with the Examiner (Ans. 4) that "Figure 4 shows the axial spacing because the electrical conductors 3a, 4a, and 5a are stacked one on top of another in the groove of the end plate 8, which is different from the end plate 7."

Turning lastly to claim 13, Kondo clearly shows that the interconnected conductors of each of the three phases all lie in a common axial plane (Figs. 2 to 4; col. 3, ll. 12 to 55).

Appellants have not presented any patentability arguments for claim 12 apart from the patentability arguments presented for claims 10 and 11.

In summary, anticipation has been established by the Examiner because Kondo discloses each and every limitation of the claimed invention set forth in claims 10 to 13. *Atlas Powder Co.*, 190 F.3d at 1347; *Paulsen*, 30 F.3d at 1478-79.

CONCLUSION OF LAW

Appellants have presented neither arguments nor evidence that demonstrates that the Examiner failed to present a *prima facie* case of anticipation.

ORDER

The anticipation rejection of claims 10 to 13 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

gvw

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